



Atty. Docket No. 076333-0331

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert H. GETZENBERG

Title: **RENAL NUCLEAR MATRIX PROTEINS,  
POLYNUCLEOTIDE SEQUENCES  
ENCODING THEM, AND THEIR USE**

Appl. No.: 10/713,149

Filing Date: 11/17/2003

Examiner: Peter J. Reddig

Art Unit: 1642

Confirmation  
Number: 9439

**DECLARATION UNDER 37 C.F.R. § 1.132**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Robert Getzenberg, being duly warned, hereby declare and say that:

1. I am the sole inventor named in the captioned application ("the application").
2. I also am a co-author of the article: Konety *et al.*, "Characteristic Nuclear Matrix Protein Alterations in Renal Cell Carcinoma (RCC)," *The Journal of Urology*, 157:278 (Abstract 1074) (1997) ("Konety"). I further understand that the Konety article is a basis for rejecting claims in the application.
3. The role of the other co-authors in the work that led to the Konety article are as follows: Konety participated in experiments under my direction and instructions but did not contribute to the ideas underlying those experiments. Nangia, under my direction and supervision, assisted in writing a manuscript that led to the Konety article. Becich procured

Atty. Docket No. 076333-0331  
U.S. Serial No. 10/713,149

tissues used for experiments described in the Konety article. Veitmeier and Nguyen, as research technicians, produced some of the huffers and reagents used in the experiments described in the Konety article. In his capacity as a urologist, Hrebinko obtained consent from patients of his who volunteered samples for the experiments described in the Konety article.

4. Accordingly, Konety, Nangia, Becich, Veitmeier and Nguyen worked in this context under my supervision, and none made an inventive contribution to the subject matter claimed in the application ("the claimed invention"). Hrebinko likewise played no role in contributing to the claimed invention. Consequently, I am the only co-author of the Konety article to have made an inventive contribution to the claimed invention.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

May 27, 2008  
Date

Dr. Robert H. Getzenberg